

House Bill 122 (AS PASSED HOUSE AND SENATE)

By: Representatives Lindsey of the 54th, Ramsey of the 72nd, and Jacobs of the 80th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions relative to counties, municipalities, and other governmental entities, so as to define certain terms; to provide that each local government having an annual budget in excess of \$1 million shall post certain information to a website accessible by the public; to provide for the information required to be posted on such website; to authorize the development, operation, and maintenance of such website; to provide for training; to provide for exceptions; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions relative to counties, municipalities, and other governmental entities, is amended by adding a new Code section to read as follows:

"36-80-21.

(a) As used in this Code section, the term:

(1) 'Audit' means an annual report of the financial affairs and transactions of a county, municipality, or consolidated government as required by Code Section 36-81-7 and an annual report of a school district as required by rule and regulation of the State Board of Education.

(2) 'Budget' means:

(A) A plan of financial operation embodying an estimate of proposed expenditures during a budget period and the proposed means of financing such expenditures for a county, municipality or consolidated government as required by Article 1 of Chapter 81 of this title and such plans of financial operation for the general fund, each special revenue fund, each debt service fund, each internal service fund, each enterprise fund, and each fiduciary fund in use by such unit of local government as such funds are defined in Code Section 36-81-2; and

(B) A plan of financial operation of a school district as required by rule and regulation of the State Board of Education and paragraph (3) of subsection (a) of Code Section 20-2-167.

(3) 'Local government' means any local school board or a governing authority of a county or municipality having an annual budget in excess of \$1 million.

(4) 'Vinson Institute' means the Carl Vinson Institute of Government of the University of Georgia.

(5) 'Website' means a website which shall be developed, operated, and maintained by the Vinson Institute that shall allow the public to review and analyze the information identified in subsections (c) and (d) of this Code section at no cost to the public or the local governments that post to the website.

(b) Each local government shall post the information required by this Code section to the website for each fiscal year beginning on and after January 1, 2011.

(c) As soon as a local government has adopted, by ordinance or resolution, a final budget for an upcoming fiscal year, a copy of the budget shall be electronically transmitted in a Portable Document Format (PDF) file to the Vinson Institute and posted on the website by the Vinson Institute as soon as practicable. In no event shall the PDF copy of the budget be transmitted to the Vinson Institute more than 30 calendar days following the adoption of the budget ordinance or resolution.

(d) After the close of a fiscal year, a copy of the audit of each local government shall be electronically transmitted in a Portable Document Format (PDF) file to the Vinson Institute and posted on the website by the Vinson Institute as soon as practicable. The PDF copy of the audit of a county, municipality, or consolidated government shall be transmitted to the Vinson Institute concurrent with submission of the audit to the state auditor as required by subsection (d) of Code Section 36-81-7. The audit of a school district shall be transmitted to the Vinson Institute concurrent with submission of the audit to the State Board of Education as required by rule and regulation of the State Board of Education.

(e) Concurrent with the submission of the annual report by local law enforcement agencies required by division (u)(4)(D)(iii) of Code Section 16-13-49, a copy of such report shall be electronically transmitted in a Portable Document Format (PDF) file to the Vinson Institute and posted on the website by the Vinson Institute as soon as practicable.

(f) The Vinson Institute shall, subject to appropriation by the General Assembly, develop the website for use by local governments under this Code section and provide all necessary training for local government officials in its operation in order to allow local governments to upload the information required by this Code section on a timely basis at no cost to such local governments."

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SECTION 2.

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All laws and parts of laws in conflict with this Act are repealed.